

GOVERNMENT OF TELANGANA

ABSTRACT

Health Medical & Family Welfare Department – Drugs Control Administration, Hyderabad-
Withdrawal of Prosecution of the case filed against Managing Director of M/s. Inavir
Pharama Tech Private Limited before the Hon'ble III Additional Chief Metropolitan
Magistrate (ACMM) Court Nampally by the Drugs Control Administration Department –
Orders – Issued.

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HEALTH, MEDICAL & FAMILY WELFARE (C2) DEPARTMENT

G.O.Rt.No. 15

Dated: 09-01-2018

Read:

From the Joint Director, DCA Lr. Rc. No. 6251/DCA/2017, Dt. 06.05.2017

ORDER:

The Joint Director, Drugs Control Administration, Hyderabad in his letter read above, has stated that seizure of certain Active Pharmaceutical Ingredients (A.P.I.s) and pellets was conducted in the premises of Mr. Vijaya Bhaskar, Managing Director of M/s. Inavir Pharma Tech Pvt. Ltd., Plot No. 119, Bhanu Enclave, Sunder Nagar, Erragadda, Hyderabad on 21.05.2016 for conducting business without any valid licence and the same was intimated to the III Additional Chief Metropolitan Magistrate (ACMM) Court, Nampally, Hyderabad and deposited the seized property vide Pl. No. 125/2016, dt. 31.05.2016. The said firm has approached the Hon'ble High Court of Judicature at Hyderabad vide W.P. No. 21370 of 2016. The Hon'ble High Court directed on 4/7/2016. The concerned authorities to release the stock on taking a Bank Guarantee and also the release of stocks is subjected to the orders to be passed by the Hon'ble III Additional Chief Metropolitan Magistrate Court, Nampally, Hyderabad.

2. Accordingly, the Hon'ble III Additional Chief Metropolitan Magistrate (ACMM), Court, Nampally, Hyderabad, in its order dt. 3/8/2016 issued orders to the Drugs Inspector, Drugs Control Administration, Vengalrao Nagar, Hyderabad to release the seized medicine. The Drugs Inspector, Vengalraonagar, Twin Cities- I, Hyderabad has released the stock to Mr. Vijaya Bhaskar, Managing Director of M/s. Inavir Pharma Tech Pvt. Ltd. on the same day i.e 03.08.2016 by taking proper acknowledgement in an affidavit. Further, as per the instructions vide Government Memo Dt. 11.08.2016, he has instructed the Assistant Director, Twin Cities – I, Drugs Control Administration, Hyderabad to take necessary action and withdraw the case as per drugs & Cosmetics Act, 1940 by taking opinion of Senior Asst. Public Prosecutor of III Additional Chief Metropolitan Magistrate (ACMM) Court Nampally.

3. The Senior Assistant Public Prosecutor, III Additional Chief Metropolitan Magistrate (ACMM) Court, Nampally, Hyderabad has submitted his opinion on 03.05.2017 that it is not a fit case and also instructed to refer the case for withdrawal of prosecution and to file a petition in the Hon'ble Court by referring the same to the Government to get the directions.

4. The Joint Director, Drugs Control Administration has further stated the Drugs Inspector, Vengalraonagar, Zone requested to get an order from the Government for withdrawal of the case under Section 321 of Code of Criminal Procedures, 1973.

5. Government, after careful examination of the matter, hereby decided to withdraw the prosecution against the accused as mentioned in this case and instruct the Joint Director, O/o Drugs Control Administration, Hyderabad to request the Sr. Assistant Public Prosecutor, III Additional Chief Metropolitan Magistrate (ACMM) Court, Nampally, Hyderabad to take necessary action for withdrawal of prosecution against Managing Director, M/s. Inavir Pharama Tech Private Limited before the Hon'ble III Additional Chief Metropolitan Magistrate (ACMM) Court, Nampally by the Drugs Administration Department., under intimation to the Government.

6. The Joint Director, Drugs Control Administration, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

A. SHANTHI KUMARI
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Joint Director, Drugs Control Administration, Hyderabad.

Copy to

The Managing Director, M/s Inavir Pharama Tech Pvt. Ltd through DCA, Hyderabad.

The Senior Assistant Public Prosecutor, III Additional Chief Metropolitan

Magistrate (ACMM) Court, Nampally, Hyderabad

The Law (C) Department, T.S., Secretariat, Hyderabad

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER